

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2003-7

February 25, 2003

Appeal of Consumer Assistance Division
Decision #74281-59882 Regarding Bangor
Hydro Electric Company

ORDER ON APPEAL

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

In this Order, we uphold the December 31, 2002 decision of our Consumer Assistance Division (CAD) finding that Bangor Hydro Electric Company (BHE) properly billed customer Anne Marie Pardue.

II. BACKGROUND

On August 26, 2002, Ms. Pardue contacted CAD concerning a disputed high bill she received from BHE for the period February 15, 2002 to March 19, 2002. CAD investigated the complaint and issued its decision on December 31, 2002. CAD found Mrs. Pardue's meter accurately recorded 1619 kWhs of usage during this time period. On January 7, 2003, Ms. Pardue appealed CAD's decision to the Commission claiming once again that she believed the meter reading was inaccurate.

III. DISCUSSION AND DECISION

As noted by both Ms. Pardue and CAD, the usage for the period in question was significantly higher than her typical usage (49 kWh per day compared to 28 kWh per day in February 2001). Following the complaint, BHE tested the meter and found it was operating properly. Absent evidence of a defective meter, a customer is responsible for the cost of electricity once it passes through the meter. There are a variety of situations that could result in electricity being used when a customer believes all household appliances and electrical equipment are off or are operating properly. As suggested by BHE, Ms. Pardue may wish to check with an electrician if other high usage situations occur. Given that BHE billed Mrs. Pardue for the usage that was recorded by a properly operating meter, we uphold CAD's decision and decline to investigate this matter further.

Dated at Augusta, Maine, this 25th day of February, 2003.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.